

1 BILL NO. G-85-10-17

2 GENERAL ORDINANCE NO. G- Post.

3 AN ORDINANCE amending the Thoroughfare Plan  
4 of the City Comprehensive ("Master") Plan  
5 by vacating a portion of a public street.

6 WHEREAS, a petition to vacate a portion of a  
7 public street within the City of Fort Wayne (as more specif-  
8 ically described below) was duly filed with the City Planning  
9 Commission; and,

10 WHEREAS, said Commission duly held a public hearing  
11 thereof; and,

12 WHEREAS, said Commission duly forwarded its recom-  
13 mendation to this body approving said petition, all in  
14 accordance with I.C. 36-7-4-512(2) and this body having  
15 held a public hearing on said vacation as provided in  
16 I.C. 36-7-3-12; and,

17 WHEREAS, this body concurs in the recommendation  
18 of the City Planning Commission.

19 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL  
20 OF THE CITY OF FORT WAYNE, INDIANA:

21 SECTION 1. That the petition filed herein to  
22 vacate a portion of public street within the City of Fort  
23 Wayne, more specifically described as follows, to-wit:

24 the Northern 13 feet of Maumee Avenue (old U.S. 24  
25 & 30), commencing on the Southwest point of reference  
26 (iron pin), proceeding in a Southeasterly direction  
27 for a distance of 250 feet, adjacent to the  
28 Southernmost boundary of the following:  
29 "...commencing on the centerline of the Maumee  
30 Road, now vacated as shown by the records of  
31 the Commissioner's of Allen County, Indiana,  
32 at Commissioner's Record 26, page 71, a distance  
of 598.9 feet East of the Northwest corner of  
said Section 8; thence deflecting 2 degrees right  
a distance of 140.0 feet; thence deflecting 8  
degrees 24 minutes right a distance of 40 feet;  
thence deflecting 15 degrees 14 minutes right  
a distance of 40 feet; thence deflecting 8 degrees  
34 minutes a distance of 24.67 feet to a bolt  
in Expansion Joint for the point of beginning;  
thence in an Easterly direction along the centerline



1 of the Maumee Road on the last described line  
2 produced a distance of 15.33 feet; thence deflecting  
3 7 degrees 11 minutes right a distance of 83.6  
4 feet; thence deflecting 0 degrees 33 minutes  
5 30 seconds right a distance of 213.7 feet to  
6 the North right-of-way of U.S. 30; thence in  
7 a Northwesterly direction along the North line  
8 of said road with an interior angle of 16 degrees  
9 47 minutes 30 seconds a distance of 271.1 feet  
10 to an iron pin; thence deflecting 90 degrees  
11 29 minutes right a distance of 41.5 feet; thence  
12 deflecting 82 degrees 24 minutes left a distance  
13 of 28.18 feet; thence deflecting 80 degrees 15  
14 minutes right a distance of 41.97 feet to the  
15 point of beginning, intersecting the centerline  
16 of the Maumee Road with an angle of 79 degrees  
17 17 minutes, containing 0.28 acres, more or less",  
18

19 and which vacating amends the Thoroughfare Plan of the  
20 City Comprehensive ("Master") Plan and is hereby approved  
21 in all respects.  
22

23 SECTION 2. That this Ordinance shall be in full  
24 force and effect from and after its passage, any and all  
25 necessary approval by the Mayor.  
26

27 Charles B. Reed  
28 Councilmember

29 APPROVED AS TO FORM AND LEGALITY:

30 Bruce O. Boxberger  
31 BRUCE O. BOXBERGER, CITY ATTORNEY  
32

33 \*\* Public hearing to be held on \_\_\_\_\_, the  
34 day of \_\_\_\_\_, 1985, in the Council Chambers.  
35

36 Sandra E. Kennedy, City Clerk  
37  
38  
39  
40  
41  
42



Read the first time in full and on motion by Redd  
seconded by Salvino, and duly adopted, read the second time  
by title and referred to the Committee Regulation (and the Ci  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Way  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ .M., E

DATE: 10-8-85  
Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Redd  
seconded by Salvino, and duly adopted, placed on its  
passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>4</u>	<u>4</u>	_____	<u>1</u>	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	_____	<u>✓</u>	_____	_____	_____
<u>EISBART</u>	_____	<u>✓</u>	_____	_____	_____
<u>GiaQUINTA</u>	_____	_____	_____	<u>✓</u>	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	<u>✓</u>	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	_____	<u>✓</u>	_____	_____	_____

DATE: 12-10-85  
Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_,

ATTEST: \_\_\_\_\_ (SEAL)  
SANDRA E. KENNEDY, CITY CLERK \_\_\_\_\_ PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_  
at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ .M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_  
19\_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ .M., E.S.T.

\_\_\_\_\_  
WIN MOSES, JR., MAYOR



# FACT SHEET

G-85-10-17

## Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE

APPROVAL DEADLINE

REASON

Street Vacation Ordinance

### DETAILS

#### Specific Location and/or Address

3600 Block Maumee Avenue

#### Reason for Project

To clear up a fence encroachment by adjacent property owners.

#### Discussion (Including relationship to other Council actions)

21 October 1985 - Public Hearing

Ben Eisbart, read into the record a letter from Russell McIntosh in opposition to the vacation which stated that the portion of street which they are requesting vacated "limits the visibility of oncoming traffic making it dangerous for us and our customers to pull out on Maumee. Currently the fence extends 13 feet beyond the State right-of-way. I support a compromise plan of 10 feet. Another 3 feet would increase our view of oncoming traffic and would not seriously inconvenience Fort Wayne Auto Parts."

Mr. Barry Pass representing Fort Wayne Auto Parts stated that the fence does encroach into the right-of-way. He stated it was inadvertently constructed some 35 years ago, long before McIntosh Energy located next door. He stated he is not familiar with the circumstances of the construction of the fence. He stated if the vacation is denied it would need relocating all of the facilities that are located behind the fence. He stated even to move it back 3 feet would be an inconvenience.

### POSITIONS

### RECOMMENDATIONS

#### Sponsor

City Plan Commission

#### Area Affected

City Wide

Other Areas

#### Applicants/Proponents

Applicant(s)  
Fort Wayne Auto Parts & Wreckers  
City Department

Other

#### Opponents

Groups or Individuals  
Russel McIntosh of McIntosh Energy Co., Inc.

#### Basis of Opposition

-encroachment blocks visibility of oncoming traffic

#### Staff Recommendation

☐ For ☒ Against

#### Reason Against

-approval would not benefit the city  
-precedent may be established lessening enforcement power

#### Board or Commission Recommendation

By

☐ For ☒ Against  
☐ No Action Taken

☐ For with revisions to conditions  
(See Details column for conditions)

#### CITY COUNCIL ACTIONS (For Council use only)

☐ Pass ☐ Other  
☐ Pass (as amended) ☐ Hold  
☐ Council Sub. ☐ Do not pass



# DETAILS

He stated that the utility pole located in front of the fence which is in the right-of-way causes more obstruction than the fence. He stated that Traffic Engineering has no objection to the vacation. He stated it will benefit the City by placing this property on the tax roles and also eliminate any maintenance by the City. He stated that none of the utilities have raised any objection (NOTE: Water Engineering does not want this portion of Maumee vacated, due to one existing infrastructure.) to the vacation. He stated if the utilities had any objections they would give them any easements necessary. He stated that a precedent has been set, in that the encroachment has not been enforced in the past 35 years. He stated in the last 35 years there does not seem to be a traffic hazard caused by this encroachment.

There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.

October 28, 1985 - Business Meeting

Of the eight members present 7 voted in favor of denial one did not vote.

The Commission felt that if vacated this would cause a safety hazard.

## POLICY/ PROGRAM IMPACT

Policy or  
Program  
Change

☐ No

☐ Yes

Operational  
Impact  
Assessment

(This space for further discussion)

Project Start

Date September 19, 1985

Projected Completion or Occupancy

Date November 18, 1985

Fact Sheet Prepared by

Patricia Biancaniello

Date November 18, 1985

Reviewed by

Date

*David L. Fenton*  
Reference or Case Number



PETITION TO VACATE (Portion of Street)

TO: THE CITY PLAN COMMISSION  
CITY OF FORT WAYNE, INDIANA

The Undersigned petitioner(s), does (do) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following portion of street, within the City of Fort Wayne, Indiana, and hereby described as follows: (please refer to red outlined area per attachment)

the Northern 13 feet of Maumee Avenue (old U.S. 24 & 30), commencing on the Southwest point of reference (iron pin), proceeding in a South-easterly direction for a distance of 250 feet, adjacent to the Southernmost boundary of the following: (please refer to red outline per attachment) "... commencing on the centerline of the Maumee Road, now vacated as shown by the records of the Commissioners of Allen County, Indiana, at Commissioners Record 26, page 71, a distance of 598.9 feet East of the Northwest corner of said Section 8; thence deflecting 2° right a distance of 140.0 feet; thence deflecting 8° 24' right a distance of 40 feet; thence X deflecting 15° 14' right a distance of 40 feet; thence deflecting 8° 34' a distance of 24.67 feet to a bolt in Expansion Joint for the point of beginning; thence in an Easterly direction along the centerline of the Maumee Road on the last above described line produced a distance of 15.33 feet; thence deflecting 7° 11' right a distance of 83.6 feet; thence deflecting 0 degrees 33 minutes 30 seconds right a distance of 213.7 feet to the North right of way of U.S. 30; thence in a Northwesterly direction along the North line of said road with an interior angle of 16° 47' 30 seconds a distance of 271.1 feet to an iron pin; thence deflecting 90° 29 minutes right a distance of 41.5 ft.; thence deflecting 82° 24' left a distance of 28.18 feet; thence deflecting 80° 15' right a distance of 41.97 feet to the point of beginning, intersecting the centerline of the Maumee Road with an angle of 79° 17', containing 0.28 acres, more or less".

In support thereof, your petitioner(s) would represent as follows:

1. That they are the only owners adjacent to the area in question.
2. That vacating the subject area will not interfere with any ingress or egress whatsoever.
3. That said portion of street is unimproved.
4. That no other person, firm, or corporation is interested in or affected by the requested vacation.
5. That the maintenance of said portion of street has not been ongoing and is not necessary. The subject area is on an abandoned U.S. highway, the remainder of which is more than adequate for all foreseeable traffic.

Your petitioner(s) file this petition pursuant to the authority granted in Indiana Code, Section 36-7-4-512 in order to complete the vacation as above described.

WHEREFORE, your petitioner(s) pray that the above described portion of street be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 19th DAY OF September, 1985

\_\_\_\_\_  
Adjacent Property Owner's Signature

\_\_\_\_\_  
Adjacent Property Owner's Address

Fort Wayne Auto Parts & Wreckers, Inc.

Barry Pass  
Petitioner's Signature

3601 Maumee Avenue  
P.O. Box 1107  
Ft. Wayne, In 46801

\_\_\_\_\_  
Petitioner's Address

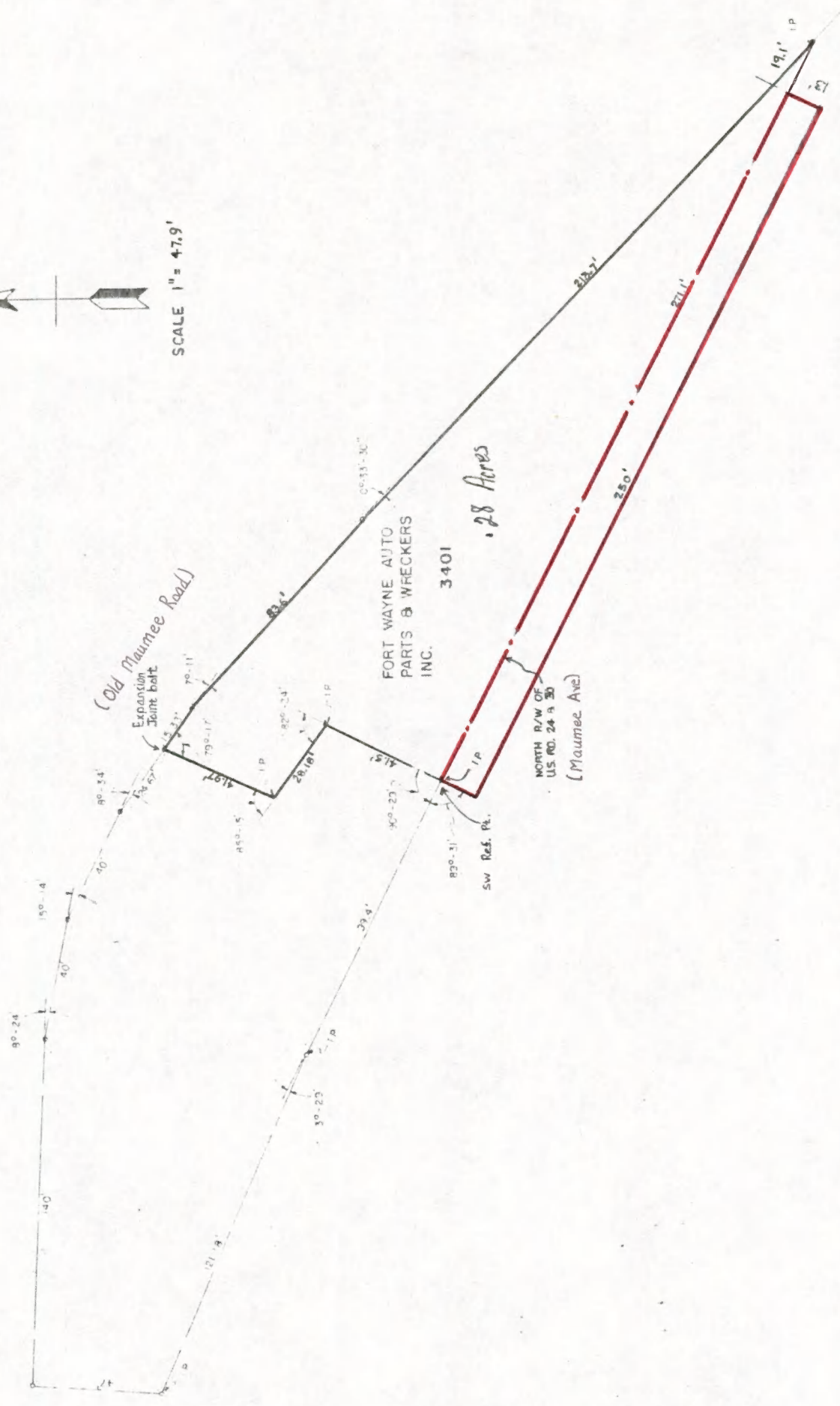
Barry Pass  
Barry Pass, Executive V.P.

\_\_\_\_\_  
Agent's Name & Address





SCALE 1" = 47.9'



(attachment to legal description)



# The City of Fort Wayne

LAND USE MANAGEMENT

Division of Community Development & Planning

75-121-9

10/31/85

29 October 1985

TO: Board of Public Works

FROM: City Plan Commission

Please be advised that at the regularly scheduled meeting of the Plan Commission held Monday, October 28, 1985 a DO NOT PASS recommendation was given for the request to vacate this portion of Maumee Avenue. (SEE ATTACHED)

Handwritten signatures and stamps. The stamp reads "Board of Public Works". The signatures include "James D. Connelley" and "James D. Connelley".

An Equal Opportunity Employer

One Main Street, Fort Wayne, Indiana 46802



RESOLUTION OF RIGHT-OF-WAY VACATION RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana on October 8, 1985, referred a proposed righty-of-way vacation to the City Plan Commission which proposed vacation ordinance was designated as Bill No. G-85-10-17; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been publihsed as required by law; and,

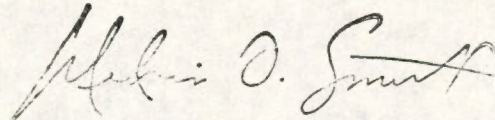
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 21, 1985.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Comon Council with a DO NOT PASS recommendation.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 28, 1985.

Certified and signed this  
18th day of November 1985.



---

Melvin O. Smith  
Secretary



BILL NO. G-85-10-17

CITY PLAN COMMISSION  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

October 10, 1985

NOTICE OF PUBLIC HEARING ON VACATION OF PUBLIC RIGHT-OF-WAY

You are hereby notified that the Fort Wayne City Plan Commission will conduct a public hearing on Monday, October 21, 1985 at 7:00 P.M. in Room #126, City-County Building, One Main Street, Fort Wayne, Indiana, on the proposed vacation of the following public right-of-way.

Portion of Maumee Avenue - See Map on Reverse Side

All interested persons are invited to appear and be heard. Any written material may be submitted to the Plan Commission Office prior to the hearing. If you have questions 427-1140.

NOTE: THE LAW REQUIRES THAT A LEGAL AD BE PUBLISHED IN THE NEWSPAPERS. NOTICES TO AREA RESIDENTS ARE SENT AS A COURTESY. IT IS ADVISED THAT YOU NOTIFY MEMBERS OF YOUR NEIGHBORHOOD ASSOCIATION OF THE ABOVE PUBLIC HEARING.



AGENT: Barry Pass / 3601 Maumee Avenue / P.O. Box 1107 / City 46801

Notice to area resident: Graham Electronics / 3606 Maumee Avenue / City 03



## NOTICE OF PUBLIC HEARING

You are hereby notified that the Fort Wayne City Plan Commission will conduct a public hearing on Monday, October 21, 1985 at 7:00 P.M. in Room #126, City-County Building, One Main Street, Fort Wayne, Indiana, on a proposed vacation of public right of way, more particularly described as follows.

the Northern 13 feet of Maumee Avenue (old U.S. 24 & 30), commencing on the Southwest point of reference (iron pin), proceeding in a Southeasterly direction for a distance of 250 feet, adjacent to the Southernmost boundary of the following: "...commencing on the centerline of the Maumee Road, now vacated as shown by the records of the Commissioner's of Allen County, Indiana, at Commissioner's Record 26, page 71, a distance of 598.9 feet East of the Northwest corner of said Section 8; thence deflecting 2 degrees right a distance of 140.0 feet; thence deflecting 8 degrees 24 minutes right a distance of 40 feet; thence deflecting 15 degrees 14 minutes right a distance of 40 feet; thence deflecting 8 degrees 34 minutes a distance of 24.67 feet to a bolt in Expansion Joint for the point of beginning; thence in an Easterly direction along the centerline of the Maumee Road on the last described line produced a distance of 15.33 feet; thence deflecting 7 degrees 11 minutes right a distance of 83.6 feet; thence deflecting 0 degrees 33 minutes 30 seconds right a distance of 213.7 feet to the North right-of-way of U.S. 30; thence in a Northwesterly direction along the North line of said road with an interior angle of 16 degrees 47 minutes 30 seconds a distance of 271.1 feet to an iron pin; thence deflecting 90 degrees 29 minutes right a distance of 41.5 feet; thence deflecting 82 degrees 24 minutes left a distance of 28.18 feet; thence deflecting 80 degrees 15 minutes right a distance of 41.97 feet to the point of beginning, intersecting the centerline of the Maumee Road with an angle of 79 degrees 17 minutes, containing 0.28 acres, more or less",

All interested persons are invited to appear and be heard.

FORT WAYNE CITY PLAN COMMISSION

Melvin O. Smith  
Secretary





# The City of Fort Wayne

November 26, 1985

Ms. Trudy Sterling  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the date of  
~~November~~ 29, 1985, in both the News Sentinel and Journal  
Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. G-85-10-17  
Street vacation

Please send 4 copies of the Publisher's Affidavit from  
both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1



NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
BILL NO. G-85-10-17

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on December 10, 1985, at 7:00 P.M. (EST) in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

the Northern 13 feet of Maumee Avenue (old U.S. 24 & 30), commencing on the Southwest point of reference (iron pin), proceeding in a Southeasterly direction for a distance of 250 feet, adjacent to the Southernmost boundary of the following: "...commencing on the centerline of the Maumee Road, now vacated as shown by the records of the Commissioner's of Allen County, Indiana, at Commissioner's Record 26, page 71, a distance of 598.9 feet East of the Northwest corner of said Section 8; thence deflecting 2 degrees right a distance of 140.0 feet; thence deflecting 8 degrees 24 minutes right a distance of 40 feet; thence deflecting 15 degrees 14 minutes right a distance of 40 feet; thence deflecting 8 degrees 34 minutes a distance of 24.67 feet to a bolt in Expansion Joint for the point of beginning; thence in an Easterly direction along the centerline of the Maumee Road on the last described line produced a distance of 15.33 feet; thence deflecting 7 degrees 11 minutes right a distance of 83.6 feet; thence deflecting 0 degrees 33 minutes 30 seconds right a distance of 213.7 feet to the North right-of-way of U.S. 30; thence in a Northwesterly direction along the North line of said road with an interior angle of 16 degrees 47 minutes 30 seconds a distance of 271.1 feet to an iron pin; thence deflecting 90 degrees 29 minutes right a distance of 41.5 feet; thence deflecting 82 degrees 24 minutes left a distance of 28.18 feet; thence deflecting 80 degrees 15 minutes right a distance of 41.97 feet to the point of beginning, intersecting the centerline of the Maumee Road with an angle of 79 degrees 17 minutes, containing 0.28 acres, more or less",

All interested parties are invited to appear and be heard.

Fort Wayne Common Council

Sandra E. Kennedy  
City Clerk



ORIGINAL

Admn. Appr. \_\_\_\_\_

Councilmanic District No. 1

DIGEST SHEET

ORIGINAL

8-85-10-17

TITLE OF ORDINANCE \_\_\_\_\_ Street Vacation Ordinance

DEPARTMENT REQUESTING ORDINANCE \_\_\_\_\_ Land Use Management - CD&P

SYNOPSIS OF ORDINANCE \_\_\_\_\_ Portion of Maumee Avenue

EFFECT OF PASSAGE \_\_\_\_\_ Property is presently public right-of-way. Property will be  
closed for public use and revert to adjacent property owner for  
private use.

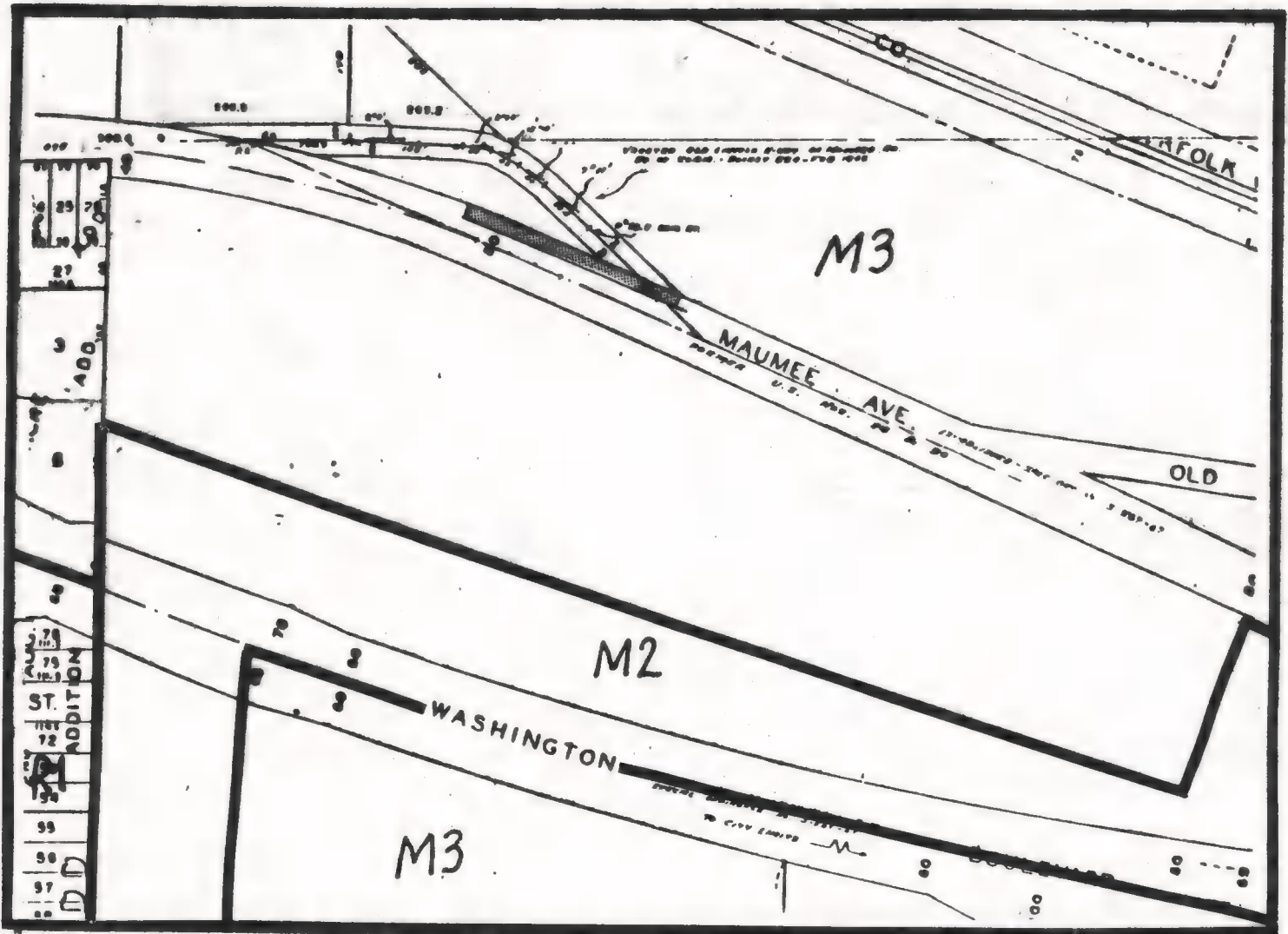
EFFECT OF NON-PASSAGE \_\_\_\_\_ Property will remain public right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE (J.N.)) \_\_\_\_\_



## GENERAL LOCATION MAP FOR MAUMEE AVE. VACATION

Zoning:Land Use:

- M3 HEAVY INDUSTRY  
 M2 GENERAL INDUSTRY  
 R1 RESIDENTIAL DISTRICT

6-85-10-17

MAP NO. R2

Scale: 1" = 220'

Date: 10-1-85

L.W.





RECEIPT

check # 65833

COMMUNITY DEVELOPMENT & PLANNING

No 467

FT. WAYNE, IND., 9/19 1985

RECEIVED FROM Ft. Wayne Auto Parts \$ 100.00

THE SUM OF One Hundred & 00/100 DOLLARS

ON ACCOUNT OF vacation - street

Maumee  
B. Steele

AUTHORIZED SIGNATURE



Fort Wayne Common Council  
(Governmental Unit)  
Allen  
County, IN

To JOURNAL-GAZETTE Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		
Head	number of lines	3
Body	number of lines	41
Tail	number of lines	3
Total number of lines in notice		47

COMPUTATION OF CHARGES

47 lines, 1 columns wide equals 47 equivalent lines at 300¢ cents per line	\$ 14.10
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra	1.00
TOTAL AMOUNT OF CLAIM	\$ 15.10

DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type 6 point
Number of insertions 1	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date Nov. 29, 19 85

Drusilla Roose  
CLERK

FORM #904

PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time as follows: 11/29/85

Subscribed and sworn to me before this 29th day of November 19 85  
Anne M. Perkins Notary Public

My commission expires November 29, 1989

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
BILL NO. G-85-10-17

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All interested parties are invited to appear and be heard.

Fort Wayne Common Council  
Sandra E. Kennedy  
City Clerk  
11-29



Fort Wayne Common Council  
(Governmental Unit)  
Allen  
County, IN

To NEW-SENTINEL Dr.  
P.O. BOX 100  
FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines		.....
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Additional charge for notices containing rule or tabular work (50 per cent of above amount)	.....
Charge for extra proofs of publication (50 cents for each proof in excess of two) 2 extra	1.00
TOTAL AMOUNT OF CLAIM	\$ 15.10

DATA FOR COMPUTING COST

Width of single column 12.5 picas	Size of type 6 point
Number of insertions 1	Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose  
Title CLERK

Date Nov. 29 19 85

FORM #903

PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that he/she is CLERK of the NEWS-SENTINEL DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time, the dates of publication being as follows:

11/29/85

Drusilla Roose  
Subscribed and sworn to me before this 29th day of November 19 85  
Anne M. Perkins Notary Public  
My commission expires November 29, 1989

NOTICE OF PUBLIC HEARING  
FORT WAYNE COMMON COUNCIL  
BILL NO. G-85-10-17  
Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on December 10, 1985, at 7:00 P.M. (EST) in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:  
the Northern 13 feet of Maumee Avenue (old U.S. 24 & 30), commencing on the Southwest point of reference (iron pin), proceeding in a Southeasterly direction for a distance of 250 feet, adjacent to the Southernmost boundary of the following: "...commencing on the centerline of the Maumee Road, now vacated as shown by the records of the Commissioner's of Allen County, Indiana, at Commissioner's Record 26, page 71, a distance of 598.9 feet East of the Northwest corner of said Section 8; thence deflecting 2 degrees right a distance of 140.0 feet; thence deflecting 8 degrees 24 minutes right a distance of 40 feet; thence deflecting 15 degrees 14 minutes right a distance of 40 feet; thence deflecting 8 degrees 34 minutes a distance of 24.67 feet to a bolt in Expansion Joint for the point of beginning; thence in an Easterly direction along the centerline of the Maumee Road on the last described line produced a distance of 15.33 feet; thence deflecting 7 degrees 11 minutes right a distance of 83.6 feet; thence deflecting 0 degrees 33 minutes 30 seconds right a distance of 213.7 feet to the North right-of-way of U.S. 30; thence in a Northwesterly direction along the North line of said road with an interior angle of 16 degrees 47 minutes 30 seconds a distance of 271.1 feet to an iron pin; thence deflecting 90 degrees 29 minutes right a distance of 41.5 feet; thence deflecting 82 degrees 24 minutes left a distance of 28.18 feet; thence deflecting 80 degrees 15 minutes right a distance of 41.97 feet to the point of beginning, intersecting the centerline of the Maumee Road with an angle of 79 degrees 17 minutes, containing 0.28 acres, more or less."  
All interested parties are invited to appear and be heard.  
Fort Wayne Common Council  
Sandra E. Kennedy  
City Clerk  
11-29



BILL NO. G-85-10-17

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~XXXXXXXXXX~~) amending the Thoroughfare  
Plan of the City Comprehensive ("Master") Plan by vacating a portion  
of apuboic street

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)  
(~~RESOLUTION~~)

YES

NO

\_\_\_\_\_  
CHARLES B. REDD  
CHAIRMAN

\_\_\_\_\_  
JANET G. BRADBURY  
VICE CHAIRWOMAN

\_\_\_\_\_  
JAMES S. STIER

\_\_\_\_\_  
BEN A. EISBART

*Donald J. Schmidt*  
DONALD J. SCHMIDT

CONCURRED IN 12-10-85

*Charles B. Redd*  
*Janet G. Bradbury*  
*James S. Stier*  
\_\_\_\_\_  
SANDRA E. KENNEDY  
CITY CLERK